

	Application No.	Applicant(s)
Aladia - E Allanati Whi	10/784,991	SUGDEN, MARTIN JAMES
Notice of Allowability	Examiner	Art Unit
	Steven Wong	3711
The MAILING DATE of this communication app All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85 NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT R of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in t) or other appropriate commun IGHTS. This application is sul	his application. If not included ication will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>the amendment filed</u>	<i>May 2, 2005</i> .	
2. ☑ The allowed claim(s) is/are <u>1-19</u> .		
3. $igotimes$ The drawings filed on 25 February 2004 are accepted by t	he Examiner.	
4. Acknowledgment is made of a claim for foreign priority una) All b) Some* c) None of the: 1. Certified copies of the priority documents have 2. Certified copies of the priority documents have 3. Copies of the certified copies of the priority do International Bureau (PCT Rule 17.2(a)). * Certified copies not received: Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONN THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 5. A SUBSTITUTE OATH OR DECLARATION must be subminsFORMAL PATENT APPLICATION (PTO-152) which giv (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner' Paper No./Mail Date 1 dentifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the deposit of the priority of the paper No./Mail Date 2 dentifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the deposit of the priority documents and the priority documents have a priority document an	e been received. e been received in Application ocuments have been received in Application of this communication to file and ENT of this application. Initiated. Note the attached EXAM es reason(s) why the oath or do st be submitted. Is on's Patent Drawing Review (communication). In the Same of the American of the same of the header according to 37 CFR asit of BIOLOGICAL MATER.	No In this national stage application from the reply complying with the requirements MINER'S AMENDMENT or NOTICE OF leclaration is deficient. PTO-948) attached In the Office action of drawings in the front (not the back) of 1.121(d). RIAL must be submitted. Note the
Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/0 Paper No./Mail Date June 6 2005 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. ☐ Interview Sum Paper No./M 08), 7. ☒ Examiner's An	rmal Patent Application (PTO-152) nmary (PTO-413), ail Date mendment/Comment tatement of Reasons for Allowance
		Primary Examiner Art Unit: 2711

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Timothy Sinnott on July 11, 2005.

The application has been amended as follows:

IN THE CLAIMS:

In claim 19, line 8, "the" (second occurrence) has been deleted.

In claim 19, line 11, "crating" has been changed to -creating--.

Claim 20 has been canceled.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: upon reconsideration and in light of applicant's remarks and amendments, the prior art is no longer seen as teaching or rendering obvious the claimed invention. The amendment requires all portions of each cubic element to be made from a selected color. The references to Li, Harbaugh, Miller, Paulos and Puzzles provide coloring for the faces of the cubic elements only and do not require "all portions of each of the cubic elements" to be of a single color. Further, none of the references require the cubes to be made from a material having a single color as they suggest application of the colors after manufacture of the cube (i.e. stickers). The relationship between the finished color arrangement (indicia) and the formation of the cubic elements (the substrate) from a selected

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color defines a new and nonobvious relationship that overcomes the prior art rejections. The relationship relates to the finished design on the faces of the cube that is formed by the cubic elements. The reference to Dreyer provides cubic elements that are made from a single color (see claim 11), however, the reference is not seen as being combinable with a manipulable puzzle cube wherein the cubic elements of each surface form a plate of cubic elements, the plate being rotatable about a spatial axis of the cube (see page 4, lines 16-20 of the applicant's specification for a definition of "spatial axes"). Further, the disclosure of Dreyer is limited in describing the manufacture of the cubic elements from a single color and Figure 1 appears to show cubic elements that contradict claim 11.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Wong whose telephone number is 571-272-4416. The examiner can normally be reached on Monday through Wednesday 7am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Greg Vidovich can be reached on 571-272-4415. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

even Wong

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SBW

July 11, 2005